

RECOMMENDATIONS FOR REVIEW BY THE BOARD ON JANUARY 25, 2011

A subcommittee of the Rhode Island Fire Safety Code Board of Appeal & Review met at its headquarters located at 1 Regan Court, Varley Building #46, Cranston, RI on Wednesday, January 19, 2011 at 1:00 P.M. At that time, Chairman Newbrook and Commissioners Dias and Walker were present.

Recommendation of the January 19, 2011 Subcommittee:

APPEAL #080313: Counsel appeared for Ms. Lucille DeClemente, for the property located at 4 Sharpe Drive, Cranston. ADSFM Glen Bathgate appeared for the Cranston Fire Marshal's Office and the Subcommittee had before it his July 14, 2008 inspection report. The Subcommittee was advised and finds that subject facility was converted from an industrial to an educational occupancy in 2002 and had apparently been in full compliance with the codes at that time. The Subcommittee was further advised and finds that the building is currently protected by a municipally-connected fire alarm system and sprinkler system. The Subcommittee was advised that the Cranston Fire Marshal's Office has determined that the existing fire alarm system may need certain upgrades to comply with the current codes. The Subcommittee further noted that the current fire alarm requirements for educational occupancies are currently under review, and may be modified by the technical subcommittee during this code adoption cycle. The Subcommittee was finally advised and finds that any upgrade of the system would be least disruptive to the students if

completed over the summer months.

A motion was made by Commissioner Walker and seconded by Commissioner Dias to recommend that the Board grant the Applicant a time variance of thirty (30) days to have its fire alarm contractor, or other professional, study the current system and present the Cranston Fire Marshal's Office with an initial plan of action for the upgrade of the fire alarm system. The Subcommittee further recommends that the Applicant be granted an additional time variance, to complete any required work, on or before the commencement of the 2011-2012 academic year in September of 2011. Finally, the Subcommittee recommends that this file be kept open, and the parties be allowed to return with proposed alternative arrangements, in the event of hardship and/or modification of the code prior to September 2011.

APPEAL #080316: Owner's representative, for the property located at 780 Tiogue Avenue, Coventry. ADSFM Mark Vincent appeared for the Hopkins Hill Fire Marshal's Office and the Subcommittee had before it his December 13, 2010 inspection report. The Subcommittee was advised by the owner's representative that the single business tenant within this facility had sublet a portion therein to a second business tenant who altered the egress stairs serving the second floor without the review and/or approval of the local AHJs. After discussion with the present parties, a motion was made by Commissioner Walker and seconded by Commissioner Dias to recommend that the Board direct the parties develop a plan of action for the second floor egress and

return to present this plan of action to the Board on March 15, 2011.

APPEAL #080165, 080166, 080167, 080168, 080169, 080170 : Four Elms Condominiums, for the property located at 200 Manville Hill Road, Cumberland, (Buildings 1, 2, 3, 4, 5 and 6). ADSFM Claude Laflamme appeared for the Cumberland Hill Fire Marshal's Office and the Subcommittee had before it his May 6, 2008 inspection report. The Subcommittee was advised and finds that the Applicant had corrected items 3 and 5 of the above report by providing this facility with upgraded smoke and mini horn protection. A motion was made by Commissioner Dias and seconded by Commissioner Walker to recommend to the Board that the Applicant be granted a time variance until January 1, 2012 to re-key the cited manual fire alarm boxes and that the Applicant be granted a variance to be allowed to maintain the existing cited manual fire alarm boxes at their current locations. The Subcommittee notes that the Cumberland Hill Fire Marshal's Office has no objection to the above recommendations.

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APPEAL #080137: Ms. Patricia Masso, for the property located at 14 Narragansett Avenue, Jamestown. Deputy Director Marsella reported that the Chief of the Jamestown Fire Department had advised her that the subject facility was now in compliance with the fire code and that he would send a confirmation letter. A motion was made by

Commissioner Dias and seconded by Commissioner Walker to recommend that the Board close the file in this case upon receipt of the fire chief's confirmation letter.

APPEAL #080171: Jamestown Oyster Bar, for the property located at 22 Narragansett Avenue, Jamestown. Deputy Director Marsella further reported that the Chief of the Jamestown Fire Department had advised her that the subject facility was now also in compliance with the fire code and that he would send a second confirmation letter to this effect. A motion was made by Commissioner Dias and seconded by Commissioner Walker to recommend that the Board also close the file in this case upon receipt of the fire chief's confirmation letter.

APPEAL #080287: Mr. Joseph R. DeSantis, for the property located at 1126 Hartford Avenue, Johnston. Deputy State Fire Marshal Robert Couture appeared for the State Fire Marshal appeared for the State Fire Marshal's Office and the Subcommittee had before it an August 21, 2008 report generated by that office. The Subcommittee was advised and finds that this facility maintains both daycare and business occupancies. The Subcommittee was further advised and finds that the daycare classrooms each have a direct exit to grade. The Subcommittee was further advised and finds that the Applicant has already upgraded the fire protection systems throughout this facility. A motion was made by Commissioner Walker and seconded by Commissioner Dias to recommend that the Board grant the Applicant a variance to maintain the existing cited separation,

including the floor-ceiling, bathroom and utility room separation, between the business and daycare occupancies thereby allowing the business use portion of this facility to be reviewed under the code provisions for existing business. In recommending this relief, the Board notes that the State Fire Marshal's Office had no objection.

APPEAL #080131: Mr. Joseph R. DeSantis, for the property located at 185 Pascoag Main Street, Pascoag. Deputy State Fire Marshal Christine Kent appeared for the State Fire Marshal's Office and the Subcommittee had before it her June 4, 2010 inspection report. The Subcommittee was advised and finds that the main entrance of this facility is equipped with a cloth canopy to provide protection from the elements. The Subcommittee further finds that the Applicant has a certification of flame resistance, for the above canopy, generated by Glen Raven Technical Fabrics, LLC (patio 09-10-12 / Reg, No. F-12102). The Subcommittee was further advised and finds that the Applicant maintains what appear to be existing "melt away" polystyrene, suspended ceiling tiles below its sprinkler heads in certain areas of this facility. However, the Subcommittee finds that the Applicant no longer has the original boxes confirming the Factory Mutual approval of this material.

A motion was made by Commissioner Walker and seconded by Commissioner Dias to recommend that the Board grant the Applicant an initial variance to allow the State Fire Marshal to accept the above-referenced flame resistance certification of the canopy and a second variance to allow the Applicant to submit a letter to the State

Fire Marshal, from the Applicant's ceiling tile supplier, certifying that the existing polystyrene ceiling tiles are comparable in composition and function to the listed "Re-Versa Tile" expanded polystyrene melt away tiles that the Applicant now utilizes as replacement ceiling tiles. In the event that Applicant is unable to secure the above letter of comparability, the Subcommittee recommends that the Board direct the Applicant to replace the existing ceiling tiles with approved tiles at the direction of the State Fire Marshal's Office.

APPEAL #090167: Mr. Joseph R. DeSantis, for the property located at 79 Waterman Avenue, North Providence. Deputy State Fire Marshal Christine Kent appeared for the State Fire Marshal's Office and the Subcommittee had before it her June 29, 2010 inspection report. The Subcommittee was advised and finds that subject facility also had the above existing "melt away" polystyrene, suspended ceiling tiles below its sprinkler heads. Again, the Subcommittee found that the Applicant no longer had the original boxes confirming the Factory Mutual approval of this material. Accordingly, a motion was made by Commissioner Dias and seconded by Commissioner Walker to also recommend to the Board that a variance to allow the Applicant to submit a letter to the State Fire Marshal, from the ceiling tile supplier, certifying that the existing polystyrene ceiling tiles are comparable in composition and function to the listed "Re-Versa Tile" expanded polystyrene melt away tiles that the Applicant now utilizes as replacement ceiling tiles. In the event that Applicant is unable to secure the above letter of comparability, the Subcommittee

recommends that the Board direct the Applicant to replace the existing ceiling tiles with approved tiles at the direction of the State Fire Marshal's Office.

APPEAL #080181, 080182, 080183 and 080184: Family Service of Rhode Island, for the properties located at 1609 Pawtucket Avenue, East Providence; 141 Wilson Avenue, East Providence; 279 Douglas Pike, North Smithfield; and 116 Bradford Street, Bristol. Deputy State Fire Marshal Octavio Vieira appeared for the State Fire Marshal's Office and the Subcommittee had before it State Fire Marshal inspection reports covering the above facilities. Commissioner Walker recused himself from consideration of the first two cases from East Providence. After an initial review of the first case, a motion was made by Commissioner Dias and seconded by Chairman Newbrook to recommend that the Board reschedule these cases for April 26, 2011 in order to allow the Applicant to work with the State Fire Marshal's Office and develop comprehensive plans of action for the subject facilities including agreed-upon time tables for compliance.